

# **TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**

## **September 11, 2006**

PRESENT: Tom Cowan, Chairman  
Terry Janicz  
John Olaf  
Andy Kelkenberg  
Christine Falkowski, Recording Clerk  
John Good, Code Enforcement Officer  
Rebecca Baker, Zoning Officer

ABSENT: Rick Meahl  
Don Hoefler  
John Potera

The Planning Board meeting was called to order by Tom Cowan at 7:30PM.

### **Site Plan Application/Special Use Permit – 11720 Main Road – Used Auto Sales – Thomas Blair**

The Planning Board reviewed a revised site plan submitted late this afternoon by Mr. Blair, along with a NYSDOT Highway Work Permit for installation of the parking lot driveway. Four of the six conditions have been met. A grading plan showing elevations and contour lines showing how the water will be drained was not submitted, and the two customer parking spots were not designated. Other problems with the revised plan are:

- Driveway is shown in the wrong location
- Only two concrete posts at the fire hydrant are required, not three
- Utility poles exist; should not be “proposed”
- Grass area is actually 24’ instead of 27’ per John Good
- Sign detail should be shown on plan and a rendering submitted, eliminating the need for a future sign permit and fee.

John stated that the mistakes on the revised plan made by Ottney & Miller were due to a rushed job. The Planning Board recommended the corrections be made and another revised site plan submitted and reviewed prior to Town Board approval. Also, the site plan fee is unpaid.

### **Site Plan Application (resubmission) The Dog House – 11986 Main Road 6-Bay Garage**

Dave Hasert appeared. On June 12<sup>th</sup> the Planning Board voted to recommend approval of the site plan dated May 19, 2006 with six conditions. John Stein withdrew his application on June 13<sup>th</sup>. A revised site plan dated August 21, 2006 was submitted. It is no longer necessary to apply for the Change-in-Use permit, as the thrift store on the third floor has been closed. The volleyball court has been removed from the plan.

Outstanding items are as follows:

- (1) Shed for sale – outdoor sales are not permitted. Can it be moved to the rear?
- (2) 4’ x 8’ temporary sign – is in ROW. Must be moved.
- (3) Dumpster – is now screened, but only on three sides. A concrete pad was installed without a permit. Ideally the dumpster should be behind the building, but at the very least screened from view on the fourth side facing Main Road.
- (4) Landscaping must be installed at the south side of the 6-bay garage to include grass and shrubs
- (5) Large planters must be placed on the asphalt where it meets the building entrance. The Board feels this is a good presentation to the public.

Dave stated that no trees will be removed for placement of the 1,240 sq. ft. garage. The Board felt that no elevations were required, and that site plan revision was not necessary. Instead, they would like a memo attached to the site plan documenting the changes. Project is a Type II action under SEQR where nothing is required other than an EAF form filled out and placed in the file. Mr. Hasert agreed to bring in the executed EAF and fee payment tomorrow. The site plan dated August 21, 2006 will be forwarded to the Town Board.

### **Minutes Review**

Andy Kelkenberg motioned to approve the minutes of August 21, 2006 as amended, seconded by John Olaf:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye

**Subdivision –Timing of splits and fee responsibility**

Who gets to subdivide the third lot after a 2-lot subdivision if both the developer and the purchaser want it? Nathan's opinion is that it's "first come, first served" unless there is a deed or sales agreement restriction in place. But...if the number of lots desired bumps it up to a major subdivision, all lots must be resurveyed onto one plan with elevations for the entire site. Who pays the difference in the fees for the (approximately \$400 each) first three lots divided?

Becky suggested charging \$1,000 for all splits, to include the engineering fee, whether minor or major. Tom felt that was too high of an increase from \$650 for a minor. Andy suggested changing minimum lot frontage from 150' to 200' and eliminate the "four lots in five years" rule. This rule has not been effective in controlling growth anyhow, and may help discourage large subdivisions. It may also help to prevent growth that Akron Central School cannot handle.

**Dollar General**

John has extended the temporary Certificate of Occupancy for the third time due to (1) No landscaping at base of sign (2) Landscaping at west side of building has become weeds (3) Landscape rocks to prevent vehicle intrusion onto sodded area at entrance do not enhance landscaping (4) Road ditch not mowed. It was the Planning Board's decision to request the landscape rocks in #3, but now feel it is an ineffective solution to the problem. Therefore, the Board suggests three drop-in curb barriers instead. These can be removed for snowplowing in winter provided they are replaced in spring.

**Route 5 Rezoning**

Tom presented the question, "Should all homes built in the Overlay require site plan approval? Consistency with all zones on Route 5 would be ideal. The Board's response was affirmative. Which Board would approve these site plans---Town Board or Planning Board? This question needs to be addressed with Town Board.

**Open Development/Flaglots**

Tom asked the Board to review his document dated August 2006 and make recommendations at the next meeting.

**Postage**

Christine stated that the Town's budget for postage is spent for this year per the Town Clerk. We are looking for ways to reduce this expense. Does the Board wish to pick up their meeting packets from now on during office hours or use a key to the Planning mailbox? Neither; they wish to transfer \$200 from Home & Community Services--Contractual Fund #B8020.400 to the postage budget line.

John Olaf made a motion to adjourn the meeting at 9:15PM, seconded by Terry and all approved.

Respectfully submitted,

Christine Falkowski  
Recording Clerk